

RICHARD A. KILLMEIER and * NO. 32,318 EQUITY
 LILA R. KILLMEIER, MORTGAGEES OF * IN THE CIRCUIT COURT FOR
 LONGVIEW ENTERPRISE, INC. * FREDERICK COUNTY, MARYLAND

* * * * *

PETITION OF MORTGAGEES TO HAVE AMOUNT OF
INITIAL BOND FIXED BY THE COURT

The Petition of Richard A. Killmeier and Lila R. Killmeier, Mortgagees, by Charles U. Price and Rollins, Price and Tisdale, their attorneys, alleges:

1. Petitioners have filed in the above captioned matter their Order to Docket Foreclosure Suit. They have also filed an Amended Statement of Mortgage Debt, setting forth the amount of the mortgage indebtedness as \$254,616.78, as of September 21, 1982.

2. To obtain a bond in the full amount of the unpaid indebtedness secured by the mortgage would be expensive; and Petitioners aver that to furnish such a bond prior to sale would serve no useful purpose. Petitioners' mortgage is a second mortgage; and the property will be offered for sale subject to a first mortgage securing an indebtedness of \$54,742.13, computed to October 15, 1982. It appears probable that the mortgaged property will be purchased by the Petitioners themselves, in which case the only cash passing through Petitioners' hands will be that needed to pay the costs and expenses of sale; and Petitioners submit that a bond in the amount of \$15,000.00 would be more than adequate. If, in the opinion of the Court, the penalty of the bond should be increased after sale, Maryland Rule H4 provides the authority for such an order.

3. The Clerk of the Court has expressed reluctance to approve a bond in the amount desired by Petitioners without the specific approval of this Court; and this Petition is therefore filed pursuant to Maryland Rule H2. b.2.

4. The consent of Longview Enterprise, Inc., the Mortgagor, to the relief prayed in this Petition is filed herewith at the foot of this Petition.